

STATEMENT OF THE HONORABLE JOHN N. ERLNBORN ON JULY 31, 1984
HOUSE COMMITTEE ON GOVERNMENT OPERATIONS MARKUP OF H.R. 5L64

MR. CHAIRMAN, I WOULD JUST LIKE TO ADD MY SUPPORT FOR THIS BILL AND PARTICULARLY THE AMENDMENT TO CLARIFY THE RELATIONSHIP BETWEEN THE FREEDOM OF INFORMATION ACT AND THE PRIVACY ACT. AS ONE OF THE AUTHORS OF THE PRIVACY ACT AND THE 1974 AMENDMENTS TO THE FREEDOM OF INFORMATION ACT, I HAVE BEEN TROUBLED TO SEE A COUPLE OF CIRCUIT COURTS OF APPEALS RENDERING DECISIONS WHICH ARE CONTRARY TO THE GOALS OF THOSE TWO ACTS. EVEN MORE TROUBLING WAS THE RECENT DECISION OF THE JUSTICE DEPARTMENT AND OFFICE OF MANAGEMENT AND BUDGET TO REVERSE THE POLICY GUIDANCE AND REGULATIONS WHICH HAVE BEEN IN EFFECT SINCE THE PRIVACY ACT TOOK EFFECT IN 1975. THIS REVERSAL OF POLICY HAS THE EFFECT OF RESTRICTING AN INDIVIDUAL'S ACCESS TO GOVERNMENT FILES CONTAINING RECORDS ABOUT HIM OR HERSELF IN A WAY NOT CONTEMPLATED BY THE CONGRESS IN 1974.

SO, I CONGRATULATE AND THANK THE SUBCOMMITTEE FOR TAKING THE ACTION THEY DID AND I URGE MY COLLEAGUES TO REPORT THIS BILL AS AMENDED AND TO VOTE FOR IT WHEN IT COMES TO THE FLOOR LATER IN THE SESSION.